

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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RODNEY COX,

Plaintiff,

-against-

EDWARD R. DONNELLY,
Superintendent of Wende Correctional
Facility; and ELIOT SPITZER, New York State Attorney General,

Respondents.
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JUDGMENT
99-CV- 8216 (JBW)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.

★ OCT 18 2005 ★

BROOKLYN OFFICE

A Memorandum and Order of Honorable Jack B. Weinstein, United States District Judge, having been filed on December 9, 2004, granting the petition for a writ of habeas corpus; ordering that the petitioner shall be released unless within sixty days the state commences prosecution or takes other action appropriate in light of this decision; and directing that this decision is stayed until all appellate proceedings are completed and a final mandate is received by this Court; it is

ORDERED and ADJUDGED that the petition for a writ of habeas corpus is granted; that the petitioner be released within sixty days unless the state commences prosecution or takes other action appropriate in light of this decision; and that this decision is stayed until all appellate proceedings are completed and a final mandate is received by this Court.

Dated: Brooklyn, New York
October 18, 2005

ROBERT C. HEINEMANN
Clerk of Court